

U.S. Environmental Protection Agency  
Criminal Investigation Division  
0800 Denver, CO, Area Office

LEAD INFORMATION WORKSHEET

LEAD#: 0800-M716

LEAD NAME: Smithfield Foods

Received Date: 12/20/2017

Received By: (b) (6), (b) (7)(C)

Date Assigned: 12/20/2017

Agent Assigned: Not on Record

Disposition: Closed w/ Notification

Violation: Water (CWA)

Media: Air (CAA)

Lead Closing Justification / Case Opening Justification:

On January 22, 2018, Special Agent (b) (6), (b) (7)(C) spoke with Kelly Busher from the South Dakota Department of Environment and Natural Resources, DENR, regarding the John Morrell Plant, Smithfield, in Sioux Falls, SD. According to Busher, Smithfield was last inspected in May of 2017 and no issues were found. Busher commented that Smithfield has come around with their environmental compliance and operations over the last few years. Busher stated that was not always the case, but things have come a long way with Smithfield from before.

Busher reviewed their file for Smithfield and commented that they discharge one million gallons per day. Busher added it would be hard to see any solids being discharged into the Sioux Falls River at that rate. According to the treatment schematics, the only weirs at the facility are at the clarifiers. Busher explained that the clarifier weirs are designed to prevent solids from being discharged into the river.

(b) (7)(E)

The allegations were not substantiated and this lead was referred to SD DENR.

This lead is now closed.

Summary of Allegations:

(b) (6), (b) (7)(C)

Investigative Activity Reports (IARs):

Subject of Report	Reporting Agent	Activity Date	Status
(b) (6), (b) (7)(C)	(b) (6), (b) (7)(C)	26-DEC-17	Approved
<u>Lexis Nexis Search</u>	(b) (6), (b) (7)(C)	27-DEC-17	Approved

Agent Signature: JAN-23-2018, Signed by (b) (6), (b) (7)(C), SA  
Supervisor Signature: JAN-25-2018, Approved by (b) (6), (b) (7)(C), ASAC

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<u>John Becker OSHA</u>	(b) (6), (b) (7)(C)	<u>27-DEC-17</u>	<u>Approved</u>
<u>2017 USCG National Response Center Reports</u>	(b) (6), (b) (7)(C)	<u>27-DEC-17</u>	<u>Approved</u>
<u>Jeremy Deyoe NEIC NTC</u>	(b) (6), (b) (7)(C)	<u>17-JAN-18</u>	<u>Approved</u>
<u>Kim McIntosh SD DENR</u>	(b) (6), (b) (7)(C)	<u>22-JAN-18</u>	<u>Approved</u>

Location of Violation:

Street: 1400 North Weber Avenue

City: Sioux Falls

Federal District: DSD

State: SD Zip: 57105

Lat: 43.5619

County: Minnehaha

Long: -96.7206

Country: US

Source(s) of Information:

Directed to CID By: EPA Tip Line

Name

Title

Organization

(b) (6), (b) (7)(C)

Agent Signature: JAN-23-2018, Signed by (b) (6), (b) (7)(C) SA  
Supervisor Signature: JAN-25-2018, Approved by (b) (6), (b) (7)(C), ASAC

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